

## ODRC Policy/Operation Manual Variance Request

Variance to ODRC Policy/Operation Manual #:75-MAL-03

Section(s): VI.B.

Policy/Operation Manual Name: Incarcerated Population Legal Mail

Managing Officer or  
designee Submitting the  
Request:

Signature

Policy Owner Signature  
Margaret S MooreDate:  
5/29/2025

Date of Request: May 29, 2025	Length of Request: Expires 9/1/2025 <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input checked="" type="checkbox"/> 180 days <input type="checkbox"/> other	Effective Date of Variance: <i>6/1/2025</i>	Applicable to: See Explanation
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Please provide a full explanation of the requested variance including the justification for the request. Please be specific as to exactly what sections and language are being revised. Explain revision necessary prior to routine revision of the policy. (Attach additional sheets if necessary):

AOCI, CCI, FMC, LeCI, LoCI, MaCI, MCI, ORW, RCI, SOCF and ToCI are piloting a process for copying incoming legal mail. It is anticipated to replace the current process of opening legal mail as outlined in subsection VI. A. 4-5. See attached for additional details on the recommended revisions during the pilot process at these institutions. This variance extends the pilot program time frame and adds an additional 7 institutions.

Defer to Ernie Moore, OOP Deputy Director.

<input checked="" type="checkbox"/> Recommended	Central Office Policy Review Chairperson:	<i>Jondrea Parrish</i>
<input type="checkbox"/> Not Recommended		Date: 6/2/2025

Comments:

<input checked="" type="checkbox"/> Recommended	Deputy Director or Regional Director:	Date:
<input type="checkbox"/> Not Recommended	<i>E. Moore</i>	5-29-25

Comments:

<input checked="" type="checkbox"/> Recommended	Legal Signature:	Date:
<input type="checkbox"/> Not Recommended	<i>S. C. S.</i>	5-29-25

Decision/Comments:

<input checked="" type="checkbox"/> Approved	Director:	Date:
<input type="checkbox"/> Disapproved	<i>A. C. S.</i>	5/29/25

Expiration of Variance:  90 days  120 days  180 days  Next Revision

Expires 9/1/2025

**Remove Current language in subsection VI.A.4-5 and insert subsection VI.B. below (for Allen-Oakwood Correctional Institution, Chillicothe Correctional Institution, Franklin Medical Center, Lebanon Correctional Institution, London Correctional Institution, Madison Correctional Institution, Marion Correctional Institution, Ohio Reformatory for Women, Ross Correctional Institution, Southern Ohio Correctional Facility, and Toledo Correctional Institution).**

#### VI.B Legal Mail Procedures

1. Legal mail will be opened in the presence of the Incarcerated Person by a mailroom staff member or warden's designee in the designated legal mail area.
2. If anything is found to be suspicious, or needs further investigation, the entire document and the envelope will be confiscated. See section C for procedures concerning suspected contraband.
3. If the legal mail does not appear suspicious, or does not need further investigation, a designated staff member will proceed as follows:
  - i. The staff member will copy the document in the presence of the Incarcerated Person using the designated legal mail copier with no memory capability and allow the Incarcerated Person to review the copy to ensure it contains the same number of pages as the original document.
  - ii. If the Incarcerated Person acknowledges that the copy contains the correct number of pages and is legible, the Incarcerated Person shall sign the Legal Mail Log (DRC2632) acknowledging that they were shown the original legal mail took possession of the copy. No additional copies will be made.
  - iii. Once the Incarcerated Person accepts the copy, the original document will be shredded in the presence of the Incarcerated Person using the designated legal mail shredding equipment.
  - iv. If the Incarcerated Person disputes that the copy matches the original, staff will check to see if an error was made, and if so, correct it.
  - v. If the Incarcerated Person refuses to sign and acknowledge accepting the copy of the legal mail after any corrections have been made, the copy shall be shredded, and the original legal mail confiscated. The

confiscated legal mail shall be returned to sender with “refused to accept delivery” placed on the outside of the envelope.